

2009R01014
DJG/dc

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

Plaintiff,

v.

DERRICK FRY

Defendant.

Honorable Peter G. Sheridan, U.S.D.J.

Criminal No. 10-112 (PGS)

FINAL ORDER OF FORFEITURE

WHEREAS, on February 23, 2010, a Consent Judgment and Preliminary Order of Forfeiture was entered between the United States and Derrick Fry (hereinafter "Defendant") pursuant to the terms of a plea agreement under which defendant Derrick Fry, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, agreed to the forfeiture of a 1970 Oldsmobile Cutlass CV automobile, Vehicle Identification Number: 342670Z138592 (the "Oldsmobile Cutlass") and a 1988 Stingray Speedboat, Registration Number: DL2995AA, Hull ID: PNY11307B888 (the "Stingray Speedboat") as property constituting or derived from proceeds traceable to a violation of 18 U.S.C. § 371 and 18 U.S.C. § 2315; and

WHEREAS, the United States was informed after the entry of the Consent Judgment and Preliminary Order of Forfeiture that defendant Derrick Fry sold the Stingray Speedboat; and

WHEREAS, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the United States posted for at least 30 consecutive days on an official government forfeiture internet site, www.forfeiture.gov, between March 30, 2010 and April 28, 2010, a notice of its intent to dispose of the Oldsmobile Cutlass in accordance with the law and further notifying all third parties of their right to petition the Court, within 60 days from the first day of publication of the above notice, for a hearing to adjudicate the validity of their alleged legal interest in the Oldsmobile Cutlass (Declaration of Deborah J. Gannett with Exhibits, Exhibit A, hereinafter "Gannett Decl."); and

WHEREAS, no timely claims have been filed on the Oldsmobile Cutlass by any third parties; and

THEREFORE it is hereby **ORDERED, ADJUDGED AND DECREED:**


1. That a Final Order of Forfeiture is entered and that the Oldsmobile Cutlass (a 1970 Oldsmobile Cutlass CV automobile, Vehicle Identification Number: 342670Z138592) is hereby forfeited to the United States of America and no right, title or interest in the asset shall exist in any other party.

2. That any and all forfeited funds, including but not limited to currency, currency equivalents and certificates of deposits, as well as any income derived as a result of the United States Marshals Service's management of any property forfeited herein, after the payment of costs and expenses

incurred in connection with the forfeiture and disposition of the forfeited property, shall be deposited forthwith by the United States Marshals Service into the Department of Justice Asset Forfeiture Fund, in accordance with the law;

The Clerk is hereby directed to send copies to all counsel of record.

ORDERED this 2 day of February, 2010.



HONORABLE PETER G. SHERIDAN
United States District Judge